

**RENO CITY COUNCIL
REGULAR MEETING
JUNE 11, 2002
(Official Minutes in City Clerk's Office)**

The Regular Meeting of the Reno City Council was called to order at 12:15 p.m. on June 11, 2002 in the Council Chambers at City Hall.

PRESENT: Council Members Hascheff, Harsh, Rigdon, Doyle, Aiazzi and Griffin.

ABSENT: Council Member Sferrazza

ALSO PRESENT: City Manager McNeely, City Attorney Lynch and City Clerk Cook.

**Agenda
Item
No.**

PRESENTATIONS

Chief's Certificate of Appreciation to Rita Middleton

2C APPROVAL OF THE AGENDA - June 11, 2002

Mayor Griffin pointed out that items 9B and 11A have been pulled.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to approve the Agenda as amended.

Motion carried with Councilperson Sferrazza absent.

3 Public Comment - Limited to No More Than three (3) Minutes. The public may comment by submitting a Request to Speak form to the City Clerk.

Robert Price spoke about discrimination with the Reno Housing Authority, as well as several unsafe apartment complexes in the area.

Eddie Anderson, representing Tisto Chapman, spoke about the good things Mr. Chapman is doing with youth.

Guy Felton spoke about upholding the open meeting law with regard to the trench project. He also spoke about potential Supreme Court rulings on certain issues.

Karen Craig presented the ArTown Summer Festival schedule which starts July 1, 2002 in Wingfield Park, and recognized the sponsors of the festival. She reported on bus schedules, parking passes, and night time parking.

Jerry Newcomer spoke about a law suit related to an island of land that is maintained by the University Ridge homeowners but that they do not own.

Mike Tracy, a resident of northwest Reno, asked the City not to go forward with the sale of bonds for the trench project before it is put before the public for vote, and perhaps an agenda item for next week regarding this issue.

Agenda
Item
No.

Tisto Chapman, representing the Creative Performing Arts Center, is requesting funding for operation of the center that helps keep at-risk kids off the street. Councilperson Doyle asked staff to look into revenues allocated through Parks & Rec, youth services.

Sam Dehne sang his “trench” song. He spoke about heroism and about the RSCVA’s upcoming opening.

6

CONSENT AGENDA

6A Staff Report: Business License Applications

Recommended: Council approve the Business License Applications as submitted.

6B Staff Report: Purchase of mobile column lifts and jackstands for Fire Department Fleet Maintenance Shop.

Recommended: Council approve the purchase for Mohawk Mobile Lift Columns and jack stands from S & D Enterprises.

6C Staff Report: Bid Award - 2002-2003 Permanent Patch Program, Contract Number 1138.

Recommended: Council award Contract No. 1138 to Sierra Nevada Construction, Inc. for \$1,449,930.00.

6D Staff Report: Grant of two separate easements to Sierra Pacific Power Company for Electrical Power Lines at Virginia Lake and Rosewood Lakes Golf Course.

Recommended: Council approve the grant of easement and authorize the Mayor to sign.

6E Staff Report: Purchase of Hazardous Materials Response Vehicle through the use of joinder as provided for in NRS 332.195 utilizing grant monies issued by the Federal Government.

Recommended: Council approve the staff recommendation of Hi-Tech Fire Apparatus Inc./ American LaFrance of Northern California as the vendor from which the new Hazardous Materials Response Vehicle shall be purchased from utilizing the joinder provision in the City of Sparks RFP 98/99-066 in the amount of \$249,791.00.

6F Staff Report: Bid Award - Parr Lift Station & Force Main Replacement.

Recommended: Council award the contract to RDC in the amount of \$747,930.00.

6G Staff Report: Term Life Insurance Renewal.

Recommended: Council approve the renewal with Gerber Life Insurance Company for Group Life insurance and accidental death and dismemberment coverage.

**Agenda
Item
No.**

6H Staff Report: Health Insurance Renewal Agreements.

Recommended: Council approve the renewal of agreements with Ace American Insurance Company, Celtic Life Insurance Company, Vision Services Plan and Hometown Health Plan.

6I Staff Report: Superior Health Care Renewal Agreement.

Recommended: Council approve the renewal agreement.

6J Staff Report: Contract No. 1097 - Northwest Urban Trails, Award of Construction Contract.

Recommended: Council award Contract No. 1097 to Cruz Construction in the amount not to exceed \$248,382.

6K Staff Report: Contract No. 1109 - Panther Valley Park, Award of Construction Contract.

Recommended: Council award Contract No. 1109 to Horizon Construction in the amount not to exceed \$419,113.90.

6L Staff Report: Consulting Services Agreement for University Ridge Park.

Recommended: Council approve the agreement with Lumos and Associates, Inc. for Professional Landscape Architecture Design Services in the amount not to exceed \$82,786 and authorize the Mayor to sign.

Jerry Newcomer spoke about enforcement of PUDs with regard to this item. He is concerned that the developer is trying to get out of his responsibility, and that the park may die despite efforts to get a consulting agreement.

It was moved by Councilperson Aiazzi, seconded by Councilperson Rigdon to approve Consent Agenda Items 9A through 9L.

Councilperson Hascheff disclosed that regarding Item 6I, Superior Health Care is a client of his and he will abstain from voting on the Renewal Agreement.

Motion carried with Councilperson Hascheff abstaining on Item 6I and Councilperson Sferrazza absent.

9 **PUBLIC WORKS**

9A Staff Report: Lower Truckee River Restoration Memorandum of Understanding.

Greg Dennis, Sanitary Engineer, reported on the need for a cooperative effort between Reno, Sparks, Washoe County, the Paiute Tribe and Storey County to restore the Truckee River downstream to improve the meanders, wildlife habitat, and cottonwood forests. Restoring the downstream will provide for parks, recreation, public access and mitigate flooding. He discussed some of the history of the Lower Truckee River and how it got to where it is today. There was general discussion regarding funding of this project and regional planning with regard to the river.

**Agenda
Item
No.**

It was moved by Councilperson Hascheff, seconded by Councilperson Aiazzi to approve the staff recommendation.

Motion carried with Councilperson Sferrazza absent.

COUNCILPERSONS RIGDON AND DOYLE ABSENT 1:20 P.M.

5

CITIZEN INITIATIVE

- 5A** Request for emergency action for: (1) firearm use ban on Peavine Peak South Slope above Northwest Reno; (2) creation of a 1000 yard quiet zone on U.S. Forest Service Land above northwest Reno; and (3) limit recreational motor vehicle access to U.S. Forest Service Land above northwest Reno - J. Calkins

COUNCILPERSON DOYLE PRESENT 1:30 P.M.

James W. Calkins, 2110 Escalera Way, northwest Reno. He presented a petition to request immediate action to stop shooting in the land above northwest Reno on National Forest Service land and private lands. Some shooters have a direct line of fire to the new elementary school on Robb Drive, and the water tower near Las Brisas Drive. He also spoke about concern for interference of motor vehicles on Peavine Peak with homeowners. There are 306 signatures on a petition, which requests that the City of Reno, County of Washoe and the National Forest Service ban fire arm use on the south slope of Peavine Peak above northwest Reno and have a 5-mile safety factor.

Marie Johnson, resident of Roxbury Drive, complained about the noise and dust of dirt bikers from the pit above her home.

Marilyn Kristopherson, resident of Britannia Drive, asked for setbacks for firearms and recreational vehicles, and a solution for the noise and dust pollution.

A.J. Schwerin asked the City Council to not approve access points in existing neighborhoods.

David Smith, resident of the McQueen area, is concerned about the gun fire and problems with the recreational vehicles.

Mike Tracy asked the City Council to find a solution to these problems.

Sam Dehne, a Reno citizen, spoke about enforcing laws of noise and pollution.

COUNCILPERSON RIGDON PRESENT 1:45 P.M.

Arlo Stockholm, Senior Planner, addressed the Council with respect to the staff recommendations. He explained that there are no designated areas for this activity, so the other agencies need to be contacted to effect change.

The City Council asked staff for short-term and long-term solutions, and for Washoe County to consider increasing the area outside northwest Reno for prohibition of firearms.

CITY MANAGER

10A Staff Report: Ad Hoc Police Study Panel Recommendations.

Ms. Sharon Zadra, Chairperson of the Panel, provided a complete overview of the report.

James Diego-Martin, a businessman on South Wells Avenue, is for the commission and opposed to the recommendation because of the fact that people fear retaliation from the police.

David Love is in favor of establishing a review board.

Pastor Anthony Steele is in favor of a review board but does not agree with the findings of the panel.

Jane Moon expressed her disappointment in the final recommendations as she feels there is a real need for an independent review of the police department.

Eddie Anderson is against the review board for economic reasons. He suggested using an outside auditor, as well as having more people of color on the police department.

Lonnie Feemster feels there should be something in place to regulate the police department.

Elizabeth Jones related the lack of attendance at the committee meetings. She feels the recommendations are solid and that they should be implemented.

Emma Williams Love, committee member, is in favor of a police review board of some sort.

Jean Stoess did not wish to make a statement, but is in favor.

Discussion ensued regarding the cost of a review board, and the benefits that would be gained that would offset the costs. It was suggested that a report card system be created to evaluate the process after a period of time. It was also suggested the cadet program come back through the budget. The Council generally felt that the auditor model recommendation be looked into, and that there is more of an outreach of the Hispanic community. There was also discussion regarding the costs involved with this project in relation to the budget.

It was moved by Councilperson Doyle, seconded by Councilperson Rigdon to accept staff recommendations, and to have staff bring back the recommendations with cost associations, and if the modified auditor model would fit with the City. The committee is to meet again and work with the staff. The Chief of Police is to return with Internal Affairs procedural modifications.

Motion carried, with Councilperson Sferrazza absent.

-0-0-0-0-0-0-0-

A recess was called at 4:05 p.m. and upon reconvening at 4:15 p.m. roll was taken with the following Council Members Present: Hascheff, Rigdon, Aiazzi and Griffin. Absent: Harsh, Doyle and Sferrazza.

-0-0-0-0-0-0-0-

**Agenda
Item
No.**

4A APPROVAL OF MINUTES - May 28, 2002

It was moved by Councilperson Hascheff, seconded by Councilperson Rigdon to approve the Minutes of May 28, 2002.

Motion carried with Councilpersons Harsh, Doyle, and Sferrazza absent.

4B CASH DISBURSEMENTS - May 19, 2002 through June 1, 2002.

It was moved by Councilperson Aiazzi, seconded by Councilperson Rigdon to approve the Cash Disbursements of May 19, 2002 through June 1, 2002, with Councilperson Hascheff abstaining on the disbursement to Martin Mary.

Motion carried with Councilpersons Harsh, Doyle, and Sferrazza absent.

15 PUBLIC HEARINGS

2:00 P.M.

15A Staff Report: Request to amend the text of the Sharlands Planned Unit Development (PUD) to: (1) add provisions to allow placement of directional signs for future Sharlands and Somerset uses; (2) increase the allowable building height in Planning Unit 6 from 25 to 45 feet; (3) establish standards for placement of cellular towers and appurtenant facilities; and (4) add provisions to allow the administrator to approve minor modifications to the PUD standards on a ±123 acre site located along the north side of I-80, east of Mae Anne Avenue and extending ±1,350 feet east of the Robb Drive/I-80 interchange in a PUD (Planned Unit Development) zone and certification of the text amendment to the PUD. LDC02-00267 (Sharlands PUD).

Recommended: The Planning Commission recommends approval of the requested text amendment, subject to conditions.

Councilperson Aiazzi stated, based on some changes to the PUD made at the meeting with the chairman of the neighborhood advisory board and the applicants: "Page 28A, we're going to allow one ladder sign permitted within Planning Unit 8B; on Page 3, we're going to change some of the cellular tower criteria - in essence we're giving them approval to build a three-story hotel. We wanted that hotel to be in an area where they could put cell towers on top of if they choose. So they'll be a change in Item 12-1A, and in conjunction with the hotel and Planning Unit 6, except we're preempted by state and federal regulations. A change to C where architecturally integrated into a hotel in Planning Unit 6. On Page 8, U, cellular facility in conjunction with the hotel (see hotel special development standards for Planning Unit 6). We made a change that instead of just staying three stories maximum, 45 feet in height, we've included an elevation above sea level of 4,968 feet. There is also a section in hotel/motel special standards. We're going to require some buffering take place on Planning Unit 9, and also require the landscaping and sidewalks on Planning Unit 6. Number of rooms would be a maximum of 125 rooms. Northwest NAB review prior to submitting an application for building permit. Hotel plan shall be submitted to the Northwest NAB. There will be a bus shelter placed on site with conformance to RTC and Community Development."

Agenda
Item
No.

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that no correspondence was received. Mayor Griffin asked if anyone cared to speak. Hearing no one he closed the public hearing.

COUNCILPERSON HARSH PRESENT 4:17 P.M.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to uphold the recommendation of the Planning Commission to approve the PUD text amendment.

Motion carried with Councilpersons Doyle and Sferrazza absent.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to certify the text amendment in accordance with NRS 278A with the changes.

Motion carried with Councilpersons Doyle and Sferrazza absent.

7

SECOND READING ORDINANCES

- 7A** Bill No. 5881 - Ordinance amending Title 2, Article I, Section 2.14.010 of the Reno Municipal Code entitled "Appointment of Employees and Conditions of Employment" and other matters properly relating thereto.

It was moved by Councilperson Rigdon, seconded by Councilperson Aiazzi to pass and adopt Bill No. 5881, Ordinance No. 5347.

Motion carried with Councilpersons Doyle and Sferrazza absent.

COUNCILPERSON DOYLE PRESENT 4:22 P.M.

- 7B** Bill No. 5882 - Ordinance annexing to and making part of the City of Reno certain specifically described territory being ±0.984 acres of property located on the southwest corner of G Street and Field Street, Washoe County, Nevada, as is more fully described in the attached Exhibit A, together with other matters properly relating thereto. Case No. LDC02-00392 (Truckee Meadows Boys and Girls Club)

It was moved by Councilperson Doyle, seconded by Councilperson Rigdon to pass and adopt Bill No. 5882, Ordinance No. 5348.

Motion carried with Councilperson Sferrazza absent.

- 7C** Bill No. 5883 - Ordinance to amend Ordinance No. 5230 rezoning four parcels totaling ±33,681 square feet from P-O (Professional Office) to NC (Neighborhood Commercial); together with other matters properly relating thereto. Case No. LDC01-00073 (Northeast Neighborhood Plan).

MAYOR GRIFFIN ABSENT 4:24 P.M.

It was moved by Councilperson Doyle, seconded by Councilperson Aiazzi to pass and adopt Bill No. 5883, Ordinance No. 5349.

Motion carried, with Councilperson Sferrazza and Mayor Griffin absent.

**Agenda
Item**

No.

- 7D** Bill No. 5884 - Ordinance concerning the City of Reno, Nevada 2000 Special Assessment District No. 1; authorizing the issuance of “City of Reno, Nevada 2000 Special Assessment District No. 1 Bonds in the Aggregate Principal Amount not to exceed \$200,000 to finance the acquisition construction and improvement of an improvement project for the benefit of land within that certain Improvement District within the City of Reno designated “City of Reno, Nevada, 2000 Special Assessment District No. 1” authorizing the sale for such bonds to the purchaser thereof; ratifying, approving and confirming all actions previously taken; prescribing the form of said bonds, providing the source of payment and other details in connection therewith and other matters relating thereto.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to pass and adopt Bill No. 5884, Ordinance No. 5350.

Motion carried with Councilperson Sferrazza and Mayor Griffin absent.

- 7E** Bill No. 5885 - Ordinance amending Title 12, Chapter 12.28 of the Reno Municipal Code by adding Article IX pertaining to Administrative Processing of Maintenance Districts for Landscaping, Public Lighting, and Security Walls and making other provisions properly relating thereto.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to pass and adopt Bill No. 5885, Ordinance No. 5351.

Motion carried with Councilperson Sferrazza and Mayor Griffin absent.

- 7F** Bill No. 5879 - Ordinance amending Reno Municipal Code, Title 18, Chapter 18.06 entitled “Zoning” by deleting language therefrom and adding language to Section 18.06.1004 “Expansion of Nonconforming Uses and Structures” to clarify when development standards apply to non-conforming properties impacted by the ReTrac Project; together with other matters properly relating thereto. [Depressed Trainway Project]

It was moved by Councilperson Doyle, seconded by Councilperson Aiazzi to adopt Bill No. 5879, Ordinance No. 5352.

Motion carried with Councilperson Sferrazza and Mayor Griffin absent, and Councilperson Harsh voting Nay.

- 7G** Bill No. 5880 - Ordinance to amend Title 18, Chapter 18.06 of the Reno Municipal Code entitled “Zoning” rezoning two parcels totaling ±19,000 square feet located at 439 Washington Street and 795 West Fourth Street from CB (Central Business) to HCD (Hotel Casino Downtown); together with other matters properly relating thereto. Case No. LDC02-00372 (Gold Dust West)

It was moved by Councilperson Aiazzi, seconded by Councilperson Doyle to pass and adopt Bill No. 5880, Ordinance No. 5353.

Motion carried with Councilperson Sferrazza and Mayor Griffin absent.

**Agenda
Item
No.**

- 7H** Bill No. 5881 - Ordinance annexing to and making part of the City of Reno certain specifically described territory being ±649.89 acres of the Damonte Ranch Property located on Steamboat Parkway North (currently under construction), approximately ±6,750 feet east of its intersection with Damonte Ranch Parkway, Washoe County, Nevada; together with other matters properly relating thereto. LDC02-00174 (Damonte Ranch Villages 12 & 13).

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to pass and adopt Bill No. 5881, Ordinance No. 5354.

Motion carried with Councilperson Sferrazza and Mayor Griffin absent.

8

RESOLUTIONS

- 8A.** Resolution No. 5994 - Resolution Accepting Streets - Connector Drive (Also known as Innovation Drive) Case No. LDC 02-00302

It was moved by Councilperson Doyle, seconded by Councilperson Aiazzi to adopt Resolution No. 5994.

Motion carried, with Councilperson Sferrazza and Mayor Griffin absent.

- 8C** Resolution No. 5995 - Resolution adopting Fixed Assets Capitalization Threshold.

Andy Green explained that this resolution basically establishes a reporting threshold for inclusion in report.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to adopt Resolution No. 5995.

Motion carried, with Councilperson Sferrazza and Mayor Griffin absent.

- 8D** Resolution No. 5997 - Resolution concerning the City of Reno, Nevada 2000 Special Assessment District No. 1 Bonds and ratifying issuance and delivery thereof; establishing the rates of interest the bonds and unpaid assessment installments shall bear; prescribing other details in connection therewith.

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to adopt Resolution No. 5997.

Motion carried with Councilperson Sferrazza and Mayor Griffin absent.

- 8B** Resolution No. 5996 - Resolution of the City Council of the City of Reno, Nevada, to transfer to the Director of the Department of Business and Industry all of the City of Reno, Nevada Private Activity Bond Volume Cap for 2002 for the benefit of the projects identified as “Whittell Pointe Apartments”, “Community Gardens”; “Silver Terrace Apartments”; and The Bluffs”; and providing other details in connection therewith.

Andy Green, Finance Director, explained this bond cap allows projects to take advantage of favorable interest rates in financing the projects. The City’s proportionate share of that cap is approximately \$9.8 million. This resolution will allocate that amount to the projects that were submitted to the City. A committee met to evaluate the four projects stated above focusing on affordability, City’s property tax and revenue stream, the number of units that would be developed, and recommended the allocation.

Agenda
Item
No.

Clyde Alexander, representing a property management company, presented some background of “Community Gardens” project, and is in favor of funding this project.

Dane Hilliard, representing Pacific West and “The Bluffs”, explained what encompasses this particular project, and is in favor of funding this project.

Ray Brown, representing “Whittell Pointe”, similarly explained the funding needs for their project.

MAYOR GRIFFIN PRESENT 4:45 P.M.

Discussion ensued with respect to rents and the possibility of tenants being evicted, as well as the importance of this funding from the City in order for these projects to move forward. Council members discussed a rating system for the projects, as well as their proximity to public transportation, the occupancy of these affordable housing projects. Council members discussed the timing of the County’s decision on this matter.

Councilperson Rigdon disclosed he is on the Housing Authority Board.

Councilperson Doyle is in favor of funding “The Bluffs” and “Community Gardens” and having the County fund the other two projects.

Councilperson Hascheff suggested sending this to the County with the current City’s staff recommendation and encourage them to assist in funding all four projects. He asked about prioritizing the projects for funding.

Councilperson Rigdon stated that preservation and rehabilitation of the existing stock is his priority.

It was moved by Councilperson Aiazzi, seconded by Councilperson Rigdon to approve the staff recommendation and direct the recipients of the bond cap to go to the County, and that staff to be proactive with the County and Sparks, and be back on the agenda within two weeks.

Motion carried with Councilperson Sferrazza absent.

It was moved by Councilperson Aiazzi, seconded by Councilperson Rigdon to adopt Resolution No. 5996.

Motion carried, with Councilperson Sferrazza absent.

9

PUBLIC WORKS

9C Staff Report: Amendment to increase amount and term of the Agreement for Consulting Services with Nossaman, Guthner, Knox and Elliott LLP, in support of the ReTRAC Project.

This item was continued from the June 4, 2002 Reno City Council Meeting

Steve Varela reported on the limitations on the scope of work, the amount of legal services that have been spent, and that Staff has tried to answer Council’s previous questions. Nossaman is a consultant to the City in various forms.

Agenda
Item
No.

Mike Tracy asked the City Council about the Nossaman contract and the correctness of previous votes by the Council on approving this contract.

Discussion ensued regarding the money that was approved previously as opposed to what was discussed among staff. They discussed the process whereby outside legal council is hired, and consulting services that are offered that are not necessarily legal services. Nossaman does not represent the City in legal matters exclusively, but also administrative consulting. It is difficult to pinpoint exactly the services that are performed, especially with respect to having to approve each specific service provided outside the scope of the contract. That would not be practical. The timing of this action was discussed in relation to any work stoppage on the bid review. Discussion also ensued as to how to prevent this problem from happening again with regard to services provided beyond the scope of the consulting contract.

COUNCILPERSON DOYLE ABSENT 5:45 P.M. AND PRESENT AT 5:52 P.M.

It was moved by Councilperson Doyle, seconded by Councilperson Hascheff to approve staff's recommendation of the \$100,000 payment, and that Nossaman present the services that were performed at the July 16 Council meeting, and staff will return with the estimate of future work on July 16.

Motion carried with Councilperson Sferrazza absent and Councilpersons Rigdon and Harsh voting Nay.

12 **CITY ATTORNEY**

- 12A** Report and possible action on case of Citizens for A Public Train Trench Vote, et. al. v. City of Reno, et. al.; City of Reno v. Citizens for A Public Train Trench Vote, et. al.; City of Reno v. Dan Burk, registrar of voters; Citizens for Private Enterprise v. City of Reno, et. al., consolidated cases CV 02-02527 and CV 02-02624, Department 9 of Washoe County District Court. [Depressed Trainway Ballot Initiative litigation]

Randall Edwards, Chief Deputy City Attorney, updated the Council on the status of the ReTRAC litigation, and asked that this item be continued to next week after determining the outcome of the lawsuit. Mr. Edwards reported that there was a court decision granting the City's motion to dismiss the case regarding the selling of the bonds. A decision on the counterclaim by the City to declare the ballot initiative unconstitutional and illegal will be made next week. A challenge on the special assessment district dismissal is also pending. Mr. Edwards explained that should the City prevail on the ballot initiative declaration, the Citizens for Public Train Trench Vote will appeal that decision to the Nevada Supreme Court, who will make the final decision. Should the City not prevail, the Council will need to decide whether that decision should be appealed, and that the Citizens for Private Enterprise will most likely appeal to the Supreme Court if the City doesn't appeal.

Mike Tracy, member of Citizens for Public Train Trench Vote, asked that the City not take any irrevocable action, and that review of the bids were acceptable by this group.

It was moved by Councilperson Aiazzi, seconded by Councilperson Rigdon to continue this item to next week.

Motion carried with Councilperson Sferrazza absent.

POLICE

- 11B** Staff Report: Discussion and possible action of preliminary interlocal agreement between the Cities of Reno, Sparks and Washoe County concerning the assumption of animal control services by Washoe County.

Steve Driscoll, Assistant City Manager for the City of Sparks, reported that the Sparks City Council approved the draft preliminary interlocal agreement, with minor modifications regarding language on repealing Sparks Animal Control ordinances. The Sparks City Council asked that the repeal would occur after the consolidated county ordinances were in place.

Tom Gad, Washoe County Director of General Services, reported that at the Commission meeting it was recommended that the ordinances be repealed or amended predicated on how the ordinance issue played out. The issue with the ordinances is that the County would eventually take over the ordinances. They suggested that the County impose the 3% tax on July 1, 2003, and then rebate the money back to the cities for the operation of the individual animal shelters.

Discussion ensued regarding the police equine facility not being a part of the Animal Services department, and whether the barn would be placed at the Longley Lane site if it is approved. The income stream was discussed and the timing of the tax increase and operating costs of the new facility.

Cathy Brandhorst spoke about animals on the freeways.

It was moved by Councilperson Aiazzi, seconded by Councilperson Rigdon to approve the Preliminary Interlocal Agreement with the understanding that changes may be made later.

Motion carried, with Councilperson Sferrazza absent.

CITY CLERK

- 13A1**Boards and Commissions Appointments - Board of Adjustment

No applications for Board of Adjustment, so the Council will continue to advertise.

- 13A2**Boards and Commissions - Truckee Meadows Water Authority Board

It was moved by Councilperson Rigdon, seconded by Councilperson Aiazzi to appoint Carlo Panicari to the Truckee Meadows Water Authority Board.

Motion carried with Councilperson Sferrazza absent.

- 13A3**Boards and Commissions - Access Advisory Committee

This item was pulled from the agenda.

MAYOR AND CITY COUNCIL

14A Approval of agenda for the June 18, 2002 Reno City Council Meeting.

To be included in the agenda will be resolutions for Peavine discussions; Very Special Arts, Reno Film Festival, Creative Performing Arts Center. Also a lift for the Traner Pool and secretarial support for the Downtown Tax District.

It was moved by Councilperson Aiazzi, seconded by Councilperson Hascheff to approve the agenda for the June 18, 2002 Reno City Council Meeting.

Motion carried with Councilperson Sferrazza absent.

14B Discussion, possible direction to staff and appointments to the 4 Steps to the Future Program Board.
S. Doyle

Discussion ensued regarding criteria for board members. Doyle has recommended people who would like to serve on the board. This committee is a non-profit but is not a function of the City at this time. The intent is to have this be a standalone board within three years. Council members also discussed the time line for this committee, frequency of meetings, and legality of this entity.

It was moved by Councilperson Doyle, seconded by Councilperson Aiazzi to accept this board for one year, with staff to bring back a resolution; and to appoint the following nine people to the board: Frank Partlow, Barbara Dicianno, Dave Bernardi, John Michael Mendoza, Mike Cleveland, and a yet to be named Hug High School representative.

Motion carried with Councilperson Sferrazza absent.

14C Resolution No. 5998 - Resolution donating \$500.00 to Latino Citizen's Academy.

It was moved by Councilperson Hascheff, seconded by Councilperson Aiazzi to adopt Resolution No. 5998.

Motion carried with Councilperson Sferrazza absent.

14D Process for replacement of City Clerk and Appointment of an Interim City Clerk.

Sam Dehne commended Don Cook on his overall job as City Clerk.

It was overall felt that Don has done a good job, and it is a good decision for Lynnette Jones to take interim position.

**Agenda
Item
No.**

It was moved by Councilperson Rigdon, seconded by Councilperson Hascheff to appoint Lynnette Jones as interim City Clerk for a four month period beginning July 15, 2002, with the Council to evaluate at the end of that time and allow the City Manager to negotiate salary.

Motion carried with Councilperson Sferrazza absent, with Councilpersons Doyle and Harsh voting Nay.

- 14E** Resolution No. 5999 - Resolution donating \$1,000.00 to Big Brothers and Big Sisters of Nevada, Reno/Sparks Branch, for operating costs to provide volunteer mentoring services to children.

It was moved by Councilperson Griffin, seconded by Councilperson Harsh to adopt Resolution No. 5999.

Motion carried with Councilperson Sferrazza absent.

- 14F** Resolution No. 6000 - Resolution donating \$2,136.00 to support the Bruka Theater of the Sierra, Inc.

It was moved by Mayor Griffin, seconded by Councilperson Aiazzi to adopt Resolution No. 6000.

Motion carried with Councilperson Sferrazza absent.

16 **PUBLIC HEARING**

- 16A** Staff Report: Request for: (1) a zoning map amendment from MF14 (Multi-Family-14 units per acre) to PO (Professional Office); and (2) a variance to reduce required parking from 14 spaces to 9 spaces on a ±0.20 acre parcel on a site located on the east side of Warren Way and ±500 feet south of its intersection with Moana Lane. Case No. LDC02-00296 (Liou/3650 Warren Way).

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that two letters were received: Julie Martinson and Don Drake Jr., 3625 Warren Way. Mayor Griffin asked if anyone cared to speak.

Julie Martinson, is in favor.

Don Drake, Jr., 3625 Warren Way, is in favor

Karen Goodwill Freida, did not want to make a statement but is in favor.

Dr. Michael Freida, 5700 E. Hidden Valley Drive, 3650 Warren Way, in favor.

Mayor Griffin asked if anyone else cared to speak. Hearing no one he closed the public hearing.

It was moved by Councilperson Rigdon, seconded by Councilperson Harsh to uphold the planning commission with regard to the zoning map amendment and overturn with regard to the various requests.

Motion carried, with Councilperson Sferrazza absent.

**Agenda
Item
No.**

16A1 Bill No. 5885 - Ordinance to amend Chapter 18.06 of the Reno Municipal Code, entitled "Zoning", Rezoning a ±0.20 acre site located on the east side of Warren Way and ±500 feet south of its intersection with Moana Lane from MF14 (Multi-family - 14 Units per Acre) to PO (Professional Office); together with other matters properly relating thereto.

It was moved by Councilperson Rigdon, seconded by Councilperson Doyle to refer Bill No. 5885 to the Committee of the Whole.

Motion carried, with Councilperson Sferrazza absent.

16 **PUBLIC HEARING**

16B Staff Report: Request for a special use permit to modify conditions of approval for a previously approved special use permit which restricted the amount of non-office space and the amount and type of restaurant uses. The modifications would increase the number of restaurants from one to three by allowing a restaurant with drive-through with internally illuminated signs instead of a bank in Building B at the northeast corner of the site, a ±4,000 square foot restaurant with alcohol service and ±1,000 square feet of outdoor seating for Building A at the northwest corner of the site and the addition of a ±2,000 square foot usable basement to an approved ±3,000 square foot restaurant in Building C located at the center of the ±4.86 acre site located at the southeast corner of McCarran Boulevard and Lakeside Drive in a G-O (General Office) zone. LDC02-00299 (Magnolia Village)

Mayor Griffin asked if proper notice had been given. City Clerk Cook stated that two additional letters were received:

Michelle Malarkey, 6059 Stone Creek Dr., expressed concern.
Jean Griswold, 2102 Chicory Way, letter of opposition.

Mr. Zucko spoke about reimbursement for damages due to this project, and about the unacceptable fence that has been constructed.

Judy Carano, 6056 Torrington Drive, spoke about the fence not being permitted, and that it is not a wall. An 8' security wall is what was approved.

Lizanne Stover, representing the applicant, explained they have worked closely with the properties next door and feel they have been remunerated for this project. She is in favor of staff's recommendation.

Mark Noble, requests approval of the SUP and that the applicant has tried to mitigate all neighbor issues.

Lisa Boudreau, owner of Lisa's Organics, stated that her establishment is not a restaurant. She explained what her establishment will offer. She is in favor of the project.

Robert Capurro, a Reno banker, is in support of the Stovers, and the project.

James Pagliero, representing RPL as project manager, stated that building a 14-foot fence is cost prohibitive, and was disappointed that the \$130,000 figure was asked for instead of the privacy.

Agenda
Item
No.

Max Hanes is in favor of the Magnolia Village project, and supports Lisa's Organics.

Paul Curtis spoke about the traffic

W. C. Barrens, 970 Mirror Lake Drive, spoke about the traffic at Lakeside and McCarran and is opposes a left turn lane into this project.

Ken Crater, consultant, reported that the height of the buildings does comply, as well as traffic and circulation. He also explained that security and privacy was considered in relation to the neighbors. He is in favor.

Ted Stover, developer of Magnolia Village, discussed the buyer awareness agreements that were signed by the adjacent homeowners. He also spoke about the preferred traffic matters, and recommends approval of the project.

Ronald Sladeck, 963 Ridgeview Drive, is against a SUP for another restaurant at Magnolia Village because of the traffic.

George Wemeck, 6050 Torrington Drive, is in opposition of application for restaurants and the wood fence in lieu of the promised concrete wall.

Mike Quinlan, 2730 Spinnaker Drive, is in favor of the project and commended its planning.

Mayor Griffin asked if anyone else cared to speak. Hearing no one he closed the public hearing.

Discussion ensued regarding the circulation of the possible drive-through facility, the left turn off access Lakeside, and increasing the wall height only for those homes that are impacted by the center. It was suggested that steel mesh be installed behind the wooden fence, with a trellis added for vines, as an alternative to a masonry wall. It was clarified that there was a permit issued to the developer for a concrete block, but the developer proceeded to install a wooden fence without the permit. Restrictions were discussed with regards to the potential restaurants in the center. The definition of "allowed non-office use" was discussed, as well as retail having to go through a zoning map amendment. Discussion also ensued regarding the building height, peak traffic at certain times of the day, signage, balconies, hours of operation, and the appropriateness of these homeowners asking for a monetary settlement.

It was moved by Councilperson Rigdon, seconded by Councilperson Aiazzi to uphold the recommendation of the planning commission to approve the requested special use permit, subject to the conditions of the staff report, with the addition of the points of mitigation from the June 10, 2002 letter and apply them to each of the staff points and condense them into essentially three different conditions: 1) the construction of the fence and the landscaping of the fence, 2) evergreen trees and the landscaping around the fence, and 3) the lighting being shielded. In addition, include the condition that Building B cannot have a tenant with any kind of stove, oven or anything that would require a grease trap.

Motion carried, with Councilperson Sferrazza absent, and Councilpersons Harsh and Doyle voting Nay.

The meeting was adjourned at 10:02 p.m.